APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,489	10/22/2001	John Edward McNulty	P-2192D2	5223

7590   07/28/2005

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EXAMINER
HAMZA, FARUK

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 May 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 April 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

1.   This communication is responsive to the amendment filed on May 04,

2005. Claims 1-11 are now pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors

Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology

Technical Amendments Act of 2002 do not apply when the reference is a U.S.

patent resulting directly or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the reference is determined

under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C.

102(e)).

2.   Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by

Multer et al. (U.S. Patent Number 6,671,757) hereinafter referred as Multer.

Multer teaches the invention as claimed including a system and method for synchronizing devices which can couple to the Internet or any network (See abstract).

As to claim 1, Multer teaches a method for managing information on behalf of a user, the method comprising:

receiving data representing the information from the user through a base system interface (Column 7, lines 45-67, Column 8, lines 1-15, Multer discloses receiving data through sync engine (base system interface));

storing a data object representing the data in a database (Fig. 13, Column 38, lines 55-67, Column 8, lines 1-10, Multer discloses storing data objects);

associating the data object with the user within the database; (Column 34, lines 12-34, Fig. 13, Multer discloses associating data object with user in storage)

associating the data object with a select one of two or more data object types; (Column 34, lines 12-34; Column 38, lines 55-67, Column 39, lines 1-10; Fig. 12 and Fig. 13, Multer discloses associating data objects with object items (object types))

receiving a request from the user for retrieval of the data through a mobile system interface (Column 9, lines 19-60, Multer discloses communication through Sync engine (mobile system interface)); and

sending the data to the user through the mobile system interface in accordance with one or more data attributes defined for the selected data object

type (Column 9, lines 19-60, Multer discloses communication through Sync

engine (mobile system interface), Fig. 13).

As to claim 2, Multer teaches the method of claim 1 wherein each of the

data object types is associated with a type identifier (Fig. 12 and Fig. 13).

As to claim 3, Multer teaches the method of claim 1 further comprising:

parsing the data into one or more portions, each of which corresponds to

the one or more data attributes defined for the selected data object type (Column

38, lines 55-65); and

wherein storing the data object includes storing the one or more portions

organized according to the data attributes defined for the selected data type

(Column 38, lines 55-65; Fig. 12).

As to claim 4, Multer teaches the method of claim 3 wherein the parsing is

according to an attribute pattern specified for the selected data object type

(Column 39, lines 3-10; Fig. 13).

As to claim 5, Multer teaches the method of claim 1 wherein sending

comprises:

sending the data along with one or more user interface triggers by which

the user can invoke one or more respectively associated actions to be taken with

respect to the data (Column 8, lines 1-16).

As to claim 6, Multer teaches the method of claim 5 wherein a selected

one of the actions is to be performed by a mobile device used by the user to

request the data (Column 8, lines 1-16).

As to claim 7, Multer teaches the method of claim 6 wherein the selected

action has a behavior defined by one or more instructions to be performed by the

mobile device (Column 10, lines 16-25); and

further wherein sending the data to the user includes sending the

instructions with the data (Column 6, lines 3-11).

As to claim 8, Multer teaches the method of claim 5 wherein a selected

one of the actions is accessible to the user only if the selected data object type of

the data object is one of one or more acceptable ones of the two or more data

object types (Fig. 13; Column 6, lines 3-11).

As to claim 9, Multer teaches the method of claim 5 wherein performance

of a selected one of the actions acts upon one or more of the data attributes of

the data object (Fig. 13).

As to claim 10, Multer teaches the method of claim 5 wherein a selected one of the actions is accessible to the user depending upon user data representing characteristics of the user (Column 32, lines 35-40).

As to claim 11, Multer teaches the method of claim 10 wherein the user data includes specification of a mobile data services provider (Fig. 17; Column 33, lines 46-59).

Response to Arguments

3.   Applicant's arguments filed on May 04, 2005 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that; A) Multer does not teach storing and associating the data object with a user.

In response to A) Multer teaches storage server where user specific data objects are stored. Each user has unique account and storage section (Column 34, lines 22-34). Data objects or delta information are stored in storage as shown in figure 12 and 13. These objects are associated with a user and therefore the delta information taught by Multer meets the claim limitation of "storing and associating a data object with the user within the database".

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of

time policy as set forth in 37 CFR 1.136(a).

         A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will

the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Faruk Hamza whose telephone number is

571-272-7969. The examiner can normally be reached on Monday through

Friday.

         If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155